

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Kozyuk, O.
Application No. : 10/743,450
Filing Date : December 19, 2003
Title : SYSTEM AND METHOD FOR HEAT TREATING A
HOMOGENIZED FLUID PRODUCT
Examiner : Becker, D.
Art Unit : 1761
Confirmation No. : 8151

RESPONSE TO RESTRICTION REQUIREMENT

M.S. Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Applicant acknowledges receipt of the Restriction Requirement dated April 9, 2007 in connection with the above-referenced application ("subject application"). The Restriction Requirement set a shortened statutory period for response of one month, which expires May 9, 2007. Therefore, this Response to Restriction Requirement is timely filed.

Summary of Restriction Requirement

In the Restriction Requirement dated April 9, 2007, the Examiner indicated that the subject application contains claims directed to the following patentably distinct or independent inventions:

- Group I. Claims 1-19 drawn to a method; and
- Group II. Claims 20-25 drawn to an apparatus.

In view of the above, the Examiner has requested that Applicant elect a single invention for prosecution on the merits.

Election of Species

In response to the Restriction Requirement, Applicant hereby elects the invention designated by the Examiner as Group I, namely claims 1-19, for prosecution on the merits.

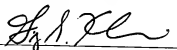
Conclusion

With the above election, it is respectfully submitted that the subject application is now in condition for examination on the merits. Applicant believes that no fee is due with this Response. However, if a fee is due, the Commissioner is authorized to charge Deposit Account No. 02-2051, specifically identifying Docket No. 24961-80.

Respectfully submitted,

Dated: May 8, 2007

By:



Gregory S. Kolocouris
Reg. No. 47,714

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF, LLP
2300 BP Tower, 200 Public Square
Cleveland, OH 44114
(216) 363-4453
Attorney for Applicant